

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Asheville Division**

UNITED STATES OF AMERICA )  
v. )  
JAMES LINDSEY ) 1:08cr50

## **ORDER**

The matter is before the Court on defendant's motion to substitute home confinement for community confinement (Document 29), filed on November 24, 2009.

For good cause,

It is hereby **ORDERED** that a hearing on defendant's motion, at which defendant must be present, is **SCHEDULED** for 11:00 a.m., Tuesday, December 15, 2009.

It is further **ORDERED** that in the meantime, defendant must report for community confinement as directed by the Probation Officer and the Bureau of Prisons.

The Clerk is directed to send a copy of this Order to the Bureau of Prisons, the Marshal's Service, the Probation Office and all counsel of record.

/s/

November 30, 2009  
Alexandria, VA

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T. S. Ellis, III  
United States District Judge